

FILED

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION

RECEIVED

APR 10 2008

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MAGISTRATE JUDGE SUSAN E. COX
UNITED STATES DISTRICT COURT

STATEMENT OF COMPLAINT IN REMOVAL PROCEEDINGS

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA
v.
ERIC LAWRENCE

)
)
)

Hon. Susan E. Cox
No.

08CR 293

The undersigned Affiant personally appeared before SUSAN E. COX, a United States Magistrate Judge, and being duly sworn on oath, states: That at NORTHERN DISTRICT OF IOWA one ERIC LAWRENCE was charged in a petition with violating the conditions of court ordered Terms of Supervised Release, and that on the basis of Affiant's investigation and information received concerning the case through official channels, does hereby certify that a Warrant for Arrest is outstanding for the arrest of said defendant.

Wherefore, Affiant prays that the defendant be dealt with according to law.


STEVE LINDER
United States Marshal Service

Subscribed and Sworn to before me this
10th day of April, 2008.


SUSAN E. COX

United States Magistrate Judge

ANTHONY P. GARCIA
Assistant U.S. Attorney
312-469-6151

SAO 442 (Rev. 5/93) Warrant for Arrest

UNITED STATES DISTRICT COURT

NORTHERN

District of

IOWA

UNITED STATES OF AMERICA

WARRANT FOR ARREST

V.

ERIC LAWRENCE

Case
Number:

CR97-0050-LRR

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

ERIC LAWRENCE

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

 Indictment Information Complain Order of court Violation Probation Violation Petition

charging him or her (brief description of offense)

Violation of Supervised Release

in violation of Title _____ United States Code, Section(s) _____

Karen S Yorgensen

Name of Issuing Officer

s/Karen S Yorgensen

Signature of Issuing Officer

The above is a true copy.

ATTEST: Robert L. Phelps, Clerk
By: 

Bail fixed at \$ _____

Deputy Clerk

Title of Issuing Officer

03/19/08, Cedar Rapids, IA

Date and Location

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

FILED UNDER SEAL PURSUANT TO ADMINISTRATIVE ORDER

United States District Court
for
NORTHERN DISTRICT OF IOWA

***Second Supplemental and Substituted Petition for Warrant or Summons
for Offender Under Supervision***

(Items identified with * have been added to the original petition for summons and first supplemental petition for warrant)

Name of Offender: Eric Lawrence **Case Number:** 97-50-1

Name of Sentencing Judge: The Honorable Michael J. Melloy, U.S. Circuit Judge

Date of Original Sentence: March 11, 1998

Original Offense: Possession With Intent to Distribute Crack Cocaine

Original Sentence: 151 months imprisonment, an eight (8) year Term of Supervised Release
03/03/1999: Rule 35(b) Sentence Reduction - Sentence reduced to 108 months imprisonment, an
eight (8) year Term of Supervised Release
08/11/2006: Supervised Revoked - 9 months imprisonment, a six (6) year Term of Supervised
Release.
01/28/2008: Modification - two (2) consecutive weekends in jail, served 2/22/08 and 2/29/08.
03/08/2008: Modification - 180 days in a Residential Re-Entry Center, not yet served.

Type of Supervision: Supervised Release **Date Supervision Commenced:** April 27, 2007

Assistant U.S. Attorney: Patrick J. Reinert **Defense Attorney:** John Jacobson

PETITIONING THE COURT

[X] *To seal this petition and attached documentation as an update to the petition for Warrant filed on March 19, 2008.

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CASE SUMMARY

On April 27, 2007, the defendant commenced his six (6) year Term of Supervised Release following his revocation sentence.

On January 12, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa. On January 16, 2008, the urine specimen was returned from Regional Laboratories as having tested positive for the presence of cocaine (please see attached documentation).

On January 22, 2008, the defendant reported to the U.S. Probation Office as directed by this officer. At this meeting, the defendant openly admitted to smoking crack cocaine twice on January 10, 2008. As a result of this drug use, the defendant signed a Probation Form 49 and agreed to serve two (2) consecutive weekends in jail. The defendant served weekends in jail on February 22 and February 29, 2008.

On February 24, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa. On February 27, 2008, the urine specimen was returned from Regional Laboratories as having tested positive for the presence of cocaine and opiates (please see attached documentation).

On February 29, 2008, the defendant reported to the U.S. Probation Office as directed by this officer. At this meeting, the defendant openly admitted to smoking crack cocaine and taking methadone pills on February 21, 2008. As a result of this drug use, the defendant signed a Probation Form 49 and agreed to serve a term in a Residential Re-Entry Center. This modification is pending approval by Your Honor (please see attached documentation).

On February 27, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa. On March 3, 2008, the urine specimen was returned from Regional Laboratories as having tested positive for the presence of cocaine and opiates (please see attached documentation).

On March 7, 2008, the defendant reported to the U.S. Probation Office as directed by this officer. At this meeting, the defendant openly admitted to smoking crack cocaine and taking methadone pills on February 26, 2008.

On March 3, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa. On March 11, 2008, the urine specimen was returned from Regional Laboratories as having tested positive for the presence of cocaine and opiates (please see attached documentation).

On March 6, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa. On March 13, 2008, the urine specimen was returned from Regional Laboratories as having tested positive for the presence of cocaine and opiates (please see attached documentation).

On March 14, 2008, a letter was sent to the defendant directing him to report to the U.S. Probation Office on March 19, 2008, to address the positive urine specimens on March 3, and March 6, 2008 (please see attached documentation).

On March 16, 17, and 18, 2008, the defendant failed to provide urine specimens at the Gerald Hinzman Center in Cedar Rapids, Iowa, though he was scheduled to do so on both days.

On March 19, 2008, the defendant failed to report to the U.S. Probation Office as directed. Several telephone calls were made, attempting to speak to the defendant, however, the phone was not able to receive messages and the defendant could not be reached. On this date, a warrant was signed by Your Honor for the arrest of the defendant.

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*On March 19, 2008 through March 24, 2008, the defendant has missed six (6) additional urinalysis tests at the Gerald Hinzman Center in Cedar Rapids, Iowa. The defendant was taken off the scheduled urinalysis list on March 25, 2008, as his whereabouts are unknown.

*On March 25, 2008, at 9:00 A.M., the defendant failed to appear in scheduled revocation proceedings before Your Honor.

Throughout the defendant's struggle with illegal drug use, he has been referred to the Sedlacek Treatment Center in Cedar Rapids, Iowa to address his issues. The defendant has also been referred to Narcotics Anonymous to immediately address his addiction.

The defendant resides alone in Cedar Rapids, Iowa and is currently unemployed.

At this time the defendant's whereabouts are unknown to this officer.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
Mandatory Condition: The defendant shall refrain from any unlawful use of controlled substances.	On January 12, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa which tested positive for the presence of cocaine (please see attached documentation). On January 16, 2008, the urine sample was confirmed positive for the presence of cocaine.
	On January 22, 2008, the defendant reported to the U.S. Probation Office and openly admitted to this officer that he had used cocaine on January 10, 2008. The defendant signed the admission form, and his conditions were modified to include two (2) consecutive weekends in jail (please see attached documentation). This modification has been served.
	On February 24, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa which tested positive for the presence of opiates and cocaine (please see attached documentation). On February 27, 2008, the urine sample was confirmed positive for the presence of opiates and cocaine.
	On February 27, 2008, the defendant reported to the U.S. Probation Office and openly admitted to this officer that he had used methadone and cocaine on February 21, 2008. The defendant signed the admission form, and agreed to modify his conditions to include a 180-day placement in a Residential Re-Entry Center. This modification is currently awaiting approval by Your Honor (please see attached documentation).

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On February 27, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa which tested positive for the presence of opiates and cocaine (please see attached documentation). On March 3, 2008, the urine sample was confirmed positive for the presence of opiates and cocaine.

On March 7, 2008, the defendant reported to the U.S. Probation Office and openly admitted to this officer that he had used methadone and cocaine on February 26, 2008. The defendant signed the admission form (please see attached documentation).

On March 3, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa which tested positive for the presence of cocaine and opiates (please see attached documentation). On March 11, 2008, the urine sample was confirmed positive for the presence of opiates and cocaine. This positive urinalysis test was unable to be addressed with the defendant as he failed to attend a scheduled appointment with this officer on March 19, 2008.

On March 6, 2008, the defendant provided a urine specimen at the Gerald Hinzman Center in Cedar Rapids, Iowa which tested positive for the presence of cocaine and opiates (please see attached documentation). On March 13, 2008, the urine sample was confirmed positive for the presence of opiates and cocaine. This positive urinalysis test was unable to be addressed with the defendant as he failed to attend a scheduled appointment with this officer on March 19, 2008.

***Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

On March 14, 2008, this officer sent the defendant a letter directing him to report to the U.S. Probation Office on March 19, 2008, at 8:30 A.M.. The defendant failed to report for this appointment (please see attached letter).

On March 19, 2008, a telephone call was made to the defendant's cellular telephone, but he was unable to be reached as his phone was not accepting messages and he did not answer in person.

*On March 25, 2008, the defendant failed to appear in revocation proceedings before Your Honor scheduled at 9:00 A.M..

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Special Condition #1: The defendant shall participate in a program of testing bodily fluids and functions and treatment for drug and alcohol abuse as directed by his probation officer until such time as he is released from the program by his probation officer.

*The defendant has missed a total of nine (9) scheduled urinalysis tests at the Gerald Hinzman Center in Cedar Rapids, Iowa. They are listed as follows: March 16, 17, 18, 19, 20, 21, 22, 23, and 24, 2008.

U. S. Probation Officer Recommendation:

*It is the respectful request of the U.S. Probation Office that this second amended and substituted petition be filed as an update to the petition for Warrant filed on March 19, 2008. It is further recommended that these violations be addressed at a revocation hearing to be scheduled following the arrest of the defendant pursuant to the warrant for his arrest in this matter. A formal recommendation will be made prior to the scheduled hearing.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

by

James Paul
U. S. Probation Officer
Executed on: April 10, 2008

Approved:

Lisa Feuerbach
Supervising U. S. Probation Officer

THE COURT ORDERS

[] *Other To file this document as an update to the Petition for Warrant filed on March 19, 2008.

Linda R. Reade
Chief U.S. District Judge

Date